

REMARKS

Claims 1-9 are all of the claims pending in the application. Claim 1 has been amended for form only.

I. Claim Objection

In the office action, the Examiner objected to claim 1. Applicant respectfully requests the Examiner withdraw the objection in view of the self-explanatory amendment presented above.

II. Claim Rejection under 35 U.S.C. § 102

The Examiner has rejected claims 1-9 under 35 U.S.C. § 102(b) as allegedly being anticipated by Li (USP 6,915,252). Applicant respectfully traverses this rejection.

In the office action, the Examiner referred to col. 10, lines 45-55 of Li (US 6,195,252) and contended that “physical design” of Li teaches the “designer discretion particulars” recited in independent claim 1 because the physical design of Li is a designer’s work on a design.¹

However, according to col. 10, lines 45-55 of Li, the physical design serves as the atomic element from which the designers work on a design.² Therefore, Applicant respectfully submits that the physical design of Li is different from “designer discretion particulars by discretion of the designer with respect to the design of the product” recited in claim 1.

Further, the Examiner asserted that “drc (design rule check) rule” of Li corresponds to “determination rule” recited in independent claim 1. More specifically, the Examiner referred to col. 4, lines 45-61 and col. 7, lines 42-61 of Li, and asserted that Li teaches a verification tool to

¹ See line 12 of item 7 in page 3 and lines 4-5, page 5 of Office Action.

² Applicant believes that the phrase “designer’s” in col. 10, line 53 of Li is an error and should be “designers”.

verify if the physical design meets each of the drc design rules in respect to “design result determination means” recited in claim 1.³

However, Applicant respectfully submits that the Examiner has not provided sufficient reasons for asserting that the drc rule of Li corresponds to “determination rule” because Li does not disclose that the drc rule includes a rule, which is to be satisfied by design of the product in the case of manufacturing the product, as recited in claim 1.

Further, even assuming the physical design and the drc rule of Li do correspond to “designer discretion particulars” and “determination rule,” respectively, (which Applicant submits is incorrect) the Examiner’s assertion regarding the “designer result discretion means” is inconsistent because in that case the verification tool of Li **would verify if the “designer discretion particulars” meets each of the “determination rule.”** As recited in claim 1, “design result determination means” is for determining whether a design result obtained by the automated design means satisfies the determination rule, while the design result is obtained by using the design requirement particulars, the designer discretion particulars, and the design rule.

In view of the above, Applicant submits that Claim 1 is not anticipated by Li. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 1 and dependent claims 2 and 7 at least by virtue of their dependence from claim 1. Furthermore, Applicant respectfully submits that independent claims 3 and 5 are also not anticipated by Gregerson for similar reasons and requests that the Examiner withdraw the rejection to these claims too. Finally, Applicant respectfully submits that claims 4, 6, 8 and 9 are patentable at

³ See line 16 of item 17 in page 3 through line 5, page 4 and liens 6-7, page 5 of the Office Action.

least by virtue of their dependence from claims 3 and 5 and respectfully requests the Examiner withdraw the rejection to these claims as well.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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